

MARGARET DONNELLAN TODD
COUNTY LIBRARIAN

March 16, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**APPROVAL OF AMENDMENT NO.3 TO AGREEMENT NO. 68733
FOR PUBLIC USE COPIERS AND TYPEWRITERS
(ALL DISTRICTS) (3-VOTE MATTER)**

IT IS RECOMMENDED THAT YOUR BOARD:

Approve and delegate authority to the County Librarian to sign the attached amendment to Contract No. 68733 with APS Affiliates, Inc. to extend the contract for operation of a concession to the Public Library Department for 18 months, and thereafter on a month-to-month basis not to exceed six months for an extended contract term to provide the Department with additional time to restructure the competitive re-solicitation of these services. The amendment shall become effective upon your Board's approval or April 1, 2004 whichever is later.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Public Library (Library) has provided coin-operated copiers and typewriters through a concession contract for customer use for over twenty years. In addition to providing a convenient service to the public, the provision of copiers for the public reduces damage to library books by allowing customers to copy pages.

The purpose of this recommended action is to enable the Library to continue providing copier and typewriter services to the public during the time required to restructure a new solicitation process for a new contract due to the lack of response on the current solicitation that would have been timely.

Approval of the proposed amendment will authorize the County Librarian, at her sole discretion, to extend the contract for 18 months, and thereafter on a month-to-month basis not to exceed six months.

Implementation of Strategic Plan Goals

Approval of the recommended amendment is consistent with the County's Strategic Plan in the areas of service excellence, fiscal integrity, and organizational effectiveness.

FISCAL IMPACT/FINANCING

In order to reach a business arrangement that is satisfactory to our current vendor, it was necessary to negotiate some changes in the terms of the existing concession agreement. These modifications include elimination of the cash commission, a reduction in the number of copies available for staff use from 75,000 to 45,000 copies per month, an increase in the copy vend price from 15 to 20 cents per copy, and a reduction in the amount of the security deposit from \$10,000 to \$2,000. As a result of these changes the Library will realize an estimated annual revenue loss of approximately \$13,000.

Under the terms of this amendment, the Library will receive 45,000 copies per month in commission for staff use. In the event the Library staff exceeds this amount, the Library will pay the concessionaire 3.7 cents plus sales tax per copy over the monthly allowance of 45,000 copies. The Library anticipates that this will have a negligible fiscal impact.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Library has determined that the Living Wage program (County code chapter 2.201) does not apply to the recommended amendment to the existing concession contract.

The current term of the existing contract expires March 31, 2004. The Library has successfully utilized a concession contract model to provide coin operated photocopiers and typewriters for public use for the past fifteen (15) years.

The Library has issued two RFP's for a concession based contract to replace the expiring contract. In both instances the proposals received were non-responsive. The Department will need to issue a restructured solicitation due to a change in the prevailing practice in the library industry from service based concession contracts to revenue sharing equipment lease contracts.

Due to the increase in cost of paper, supplies, and maintenance, the price for photocopies will increase during the extension period from fifteen cents to twenty cents per copy. The price per copy has not changed for the past fifteen (15) years.

County Counsel has approved this amendment as to form.

CONTRACTING PROCESS

On January 9, 2004, proposals were solicited from the Library's proposers list, which includes contractors listed on the County's Office of Affirmative Action Compliance Community Business Enterprise (CBE) Database. Advertisements were placed in the Los Angeles Times, The Sentinel, and a chain of bilingual community ethnic newspapers published by The Eastern Group. The solicitation information was also made available to prospective contractors on the County's website.

Forty-four (44) Request for Proposals (RFP) were mailed out. A mandatory proposers conference was held on January 20, 2004. Fourteen (14) prospective proposers attended the bidders conference. Ten (10) no-bid letters were received, and one (1) proposal was received on February 6, 2004. Upon review of the single proposal received, it was deemed non-responsive because the proposer did not adhere to the required material submission guidelines. The Library determined that it is in the best interest of the County to restructure the solicitation of these services. The current concessionaire is willing to continue to provide these services based upon the renegotiated terms in the amendment pending a competitive re-solicitation of services.

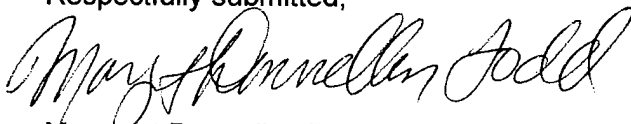
IMPACT ON CURRENT SERVICES

Approval of this amendment will assure the continuation of pay per use copier and typewriter service for the public at County Library facilities.

CONCLUSION

The current term of the contract expires on March 31, 2004. Approval of this amendment will provide the Department with the additional time necessary to develop a restructured solicitation of these services.

Respectfully submitted,



Margaret Donnellan Todd
County Librarian

MDTFH:EVT:jm

Attachments

c: Chief Administrative Office
County Counsel
Executive Office, Board of Supervisors
Auditor-Controller